

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>MARTIN BUSTILLOS-GONZALEZ, )</b>	)	<b>CASE NO. 5:08CV837</b>
	)	
<b>PETITIONER,</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>V.</b>	)	
	)	
<b>MICHELLE EBERLIN,</b>	)	
<b>Warden,</b>	)	<b>ORDER</b>
	)	
<b>RESPONDENT.</b>	)	
	)	

This matter is before the Court upon a petition for a writ of habeas corpus filed by Martin Bustillos-Gonzalez (“Petitioner”), pursuant to 28 U.S.C. § 2254. (Dkt. # 2).

On May 3, 2007, this case was automatically referred to Magistrate Judge George J. Limbert for preparation of a Report and Recommendation, pursuant to 28 U.S.C. § 636 and LR 72.1. (Dkt. # 10). On January 8, 2009, the Magistrate issued a report and recommendation, recommending that the Court deny the instant petition because the petition is barred by the statute of limitations established by 28 U.S.C. § 2244(d)(1)(A). (Dkt. # 29).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Petitioner has failed to timely file any such objections. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge’s recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court’s limited resources. Thomas v. Arn, 728

F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

The Court has reviewed the report and recommendation of the Magistrate Judge *de novo*, and finds that it is well-supported. Therefore, the Report and Recommendation of Magistrate Judge Limbert (Dkt. # 29) is hereby **ADOPTED**, and Petitioner's petition for a writ of habeas corpus is **DENIED**.

**IT IS SO ORDERED.**

/s/ Peter C. Economus – February 19, 2009  
**PETER C. ECONOMUS**  
**UNITED STATES DISTRICT JUDGE**